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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,178	10/05/1999	JOSEPH M. CANNON	82-75-30	9308
75	590 06/09/2003		}	
DOCKET ADMINISTRATOR ROOM 3C-512 LUCENT TECHNOLOGIES INC 600 MOUNTAIN AVENUE			EXAMINER	
			TIEU, BINH KIEN	
P O BOX 636 MURRAY HIL	L, NJ 079740636		ART UNIT PAPER NUMBER	
	,		2643	· >
			DATE MAILED: 06/09/2003	>

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)	
		09/412,178	CANNON ET AL.	
	Office Action Summary 🧅	Examiner	Art Unit	
		BINH K. TIEU	2643	
Period f	The MAILING DATE of this communicate or Reply	ion appears on the cover sheet v	with the correspondence address	
THE - Extended after - If there is no incomplete Fail - Any	MORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNICATE on so time may be available under the provisions of 37 r SIX (6) MONTHS from the mailing date of this communicate period for reply specified above is less than thirty (30) day of period for reply is specified above, the maximum statutor une to reply within the set or extended period for reply will, I reply received by the Office later than three months after the period patent term adjustment. See 37 CFR 1.704(b).	TION. CFR 1.136(a). In no event, however, may a ation. ys, a reply within the statutory minimum of the y period will apply and will expire SIX (6) MC by statute, cause the application to become A	a reply be timely filed irty (30) days will be considered timely. DNTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).	
0tatus 1)⊠	Responsive to communication(s) filed	on 05 October 1999		ι.
2a)□	•	This action is non-final.		
3)□	Since this application is in condition for		atters prosecution as to the merits is	
,—	closed in accordance with the practice tion of Claims	under Ex parte Quayle, 1935 C	c.D. 11, 453 O.G. 213.	
4)⊠	Claim(s) 1-20 is/are pending in the app	lication.		
	4a) Of the above claim(s) is/are w	vithdrawn from consideration.		
5)	Claim(s) is/are allowed.			
6)[🛛	Claim(s) <u>1-20</u> is/are rejected.			
7)	Claim(s) is/are objected to.			
8)□	Claim(s) are subject to restriction	and/or election requirement.		
Applica	tion Papers			
9)[The specification is objected to by the Ex	kaminer.		
10)	The drawing(s) filed on is/are: a)[☐ accepted or b)☐ objected to by	the Examiner.	
	Applicant may not request that any objection	on to the drawing(s) be held in abe	yance. See 37 CFR 1.85(a).	
11)	The proposed drawing correction filed or	n is: a)□ approved b)□	disapproved by the Examiner.	
	If approved, corrected drawings are require	ed in reply to this Office action.		
12)	The oath or declaration is objected to by	the Examiner.		
Priority	under 35 U.S.C. §§ 119 and 120		·	
13)[Acknowledgment is made of a claim for	foreign priority under 35 U.S.C	. § 119(a)-(d) or (f).	
а) All b) Some * c) None of:			
	1. Certified copies of the priority doc	cuments have been received.		
	2. Certified copies of the priority doc	cuments have been received in	Application No	
*	3. Copies of the certified copies of the application from the Internation See the attached detailed Office action for	onal Bureau (PCT Rule 17.2(a))		

U.S. Patent and Trademark Office PTO-326 (Rev. 04-01)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

Attachment(s)

6) Other:

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

4) Interview Summary (PTO-413) Paper No(s). _

5) Notice of Informal Patent Application (PTO-152)

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Cannon et al. (U.S. Pat. #: 6,529,587).

Regarding claims 1, 7, 13 and 18, Cannon et al. ("Cannon") teaches a voice mail system and a method of providing a visual message waiting indicator such as an illumination of a light on the subscriber's telephone set or displaying Caller ID message to called party (subscribed party) to an off-hook telephone of the called party, comprising the steps of receiving a voicemail message from a calling party at a voice mail system located at a central location; detecting by the voice mail system if the subscriber's telephone set is in an off-hook condition, sending a visual message waiting indicator signal from the central location and destined for the off-hook telephone (col.4, lines 47-67; also see dependent claim 11 in col.7, lines 34-50).

Regarding claims 2, 10 and 19, Cannon teaches the steps of alerting the off-hook telephone by a call waiting tone (col.4, lines 53-55) and transmitting the visual message waiting indicator signal such as Caller ID date (col.4, lines 61-67).

Regarding claims 3-4, 11-12 and 20, note col.5, lines 10-15.

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Regarding claims 5 and 14-17, note col.4, lines 4-31.

Regarding claims 6 and 8-9, note col.4, lines 61-67.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Although the Dee et al. (US. Pat. #: 6,266,524) and Arnson (US. Pat. #: 6,366,772) are not applied into this Office Action, they are also called to Applicants attention. They may be used in future Office Action(s). Both these references are also concerned a system and a method of providing a visual message waiting indicator signal to an off-hook telephone.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (703) 305-3963 and E-mail address: <u>BINH_TIEU@USPTO.GOV</u>.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (703) 305-4708 and IF PAPER HAS BEEN MISSED FROM THIS OFFICIAL ACTION PACKAGE, PLEASE CALL Customer Service at (703) 306-0377 FOR THE SUBSTITUTIONS OR COPIES.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington VA, Sixth Floor (Receptionist, tel. No. 703-305-4700).

BINH TIEU PRIMARY EXAMINER

Art Unit 2643

Date: June 01, 2003